



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

Paper No. 14

JOHN S. PRATT  
KILPATRICK STOCKTON  
1100 PEACHTREE STREET  
SUITE 2800  
ATLANTA, GA 30309

COPY MAILED

FEB 27 2003

In re Application of  
Vincent Bryan et al  
Application No. 09/776,394  
Filed: February 2, 2001  
Attorney Docket No. 46739/252388

:  
:  
:  
:  
:

NOTICE

OFFICE OF PETITIONS

This is a notice regarding your request for acceptance of a fee deficiency submission under 37 CFR 1.28. On September 1, 1998, the Court of Appeals for the Federal Circuit held that 37 CFR 1.28(c) is the sole provision governing the time for correction of the erroneous payment of the issue fee as a small entity. See DH Technology v. Synergystex International, Inc. 154 F.3d 1333, 47 USPQ2d 1865 (Fed. Cir. Sept. 1, 1998).


The Office no longer investigates or rejects original or reissue applications under 37 CFR 1.56. 1098 Off. Gaz. Pat. Office 502 (January 3, 1989). Therefore, nothing in this Notice is intended to imply that an investigation was done.

Your fee deficiency submission under 37 CFR 1.28 is hereby  
**ACCEPTED.**

There is no indication that petitioner herein was ever empowered to prosecute the instant application. If petitioner desires to receive future correspondence regarding this application, the appropriate power of attorney and change in correspondence address documentation must be submitted. A courtesy copy of this notice is being mailed to the address given on the submission; however, the Office will mail all future correspondence solely to the address of record.

Inquiries related to this communication should be directed to the Office of Petitions Staff at (703) 305-9285.

This file is being forwarded to Technology Center AU 3738.

  
Wan Laymon  
Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy

CC: HAYES AND BOONE  
901 MAIN STREET  
SUITE 3100  
DALLAS, TX 75202-3789